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17 Attorneys for Defendant
18 COUNTRYWIDE HOME LOANS, INC.

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19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA

21 TERRY BROWN and CAROLINE
22 BROWN,

23 Plaintiffs,

24 vs.

25 COUNTRYWIDE HOME LOANS,
26 INC., a New York corporation, et al.

27 Defendant.

28 Case No. C-08-05383-TEH

29 **JOINT STIPULATION AND
30 PROPOSED ORDER TO EXTEND
31 DEFENDANT'S TIME TO FILE
32 REPLY MEMORANDUM IN
33 SUPPORT OF ITS MOTION TO
34 DISMISS**

35 Date: April 13, 2009
36 Time: 10:00 a.m.
37 Courtroom: 12, 19th Floor
38 Judge: Thelton E. Henderson

40 Plaintiffs Terry and Caroline Brown ("Plaintiffs") and Defendant
41 Countrywide Home Loans, Inc. ("CHL") jointly stipulate, pursuant to Civil Local
42 Rules 6-2 and 7-12, to extend the time CHL has to file its Reply Memorandum in

days.

1 In support of their stipulation, the parties state as follows:

2 1. Plaintiffs filed their Complaint in this action on October 24,
3 2008, which Defendants moved to dismiss. *See Docket No. 7.*

4 2. On the day their opposition was due, Plaintiffs filed their First
5 Amended Complaint (“FAC”). *See Docket No. 10.*

6 3. On February 12, 2009, CHL filed a Motion to Dismiss the FAC.
7 *See Docket No. 13.* That Motion was scheduled to be heard on March 23, 2009, at
8 10:00 a.m. Plaintiffs filed their Opposition to the Motion on March 2, 2009. *See*
9 Docket No. 16. Pursuant to Civil L.R. 7-3(c), CHL’s Reply Memorandum in
10 Support of its Motion to Dismiss was due March 9, 2009 (14 days prior to the
11 March 23, 2009, hearing).

12 4. On March 3, 2009, this Court, *sua sponte*, continued the hearing
13 to April 13, 2009. *See Docket No. 18.*

14 5. The parties believe, that, due to the issues raised, it would be
15 equitable for CHL to receive a 14 day extension to file its Reply Memorandum in
16 Support of its Motion to Dismiss to and until March 23, 2009.

17 6. If CHL is granted permission to file its Reply on March 23,
18 2009, the Court would still receive the Reply Memorandum 21 days prior to the
19 hearing. Hence, the Court would not have to reschedule the hearing date in order to
20 accommodate the parties’ request.

21 7. Accordingly, the parties jointly stipulate to extend the date to file
22 the Reply Memorandum in Support of CHL’s Motion to Dismiss by 14 days, to and
23 until March 23, 2009.

8. This stipulation is filed in good faith, and not for purpose of delay.

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By: John J. O'Leary
Attorneys for Defendant
COUNTRYWIDE HOME LOANS, INC.

WILLIAM S. BONNHEIM, PLC
William S. Bonnheim

WEIXEL LAW OFFICE
James V. Weixel, Jr.

Attorney for Plaintiffs

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March , 2009

United States District Judge

1 8. This stipulation is filed in good faith, and not for purpose of delay.
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5

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James Goldberg

Stephanie A. Blazewicz

6 By: James Goldberg
7
8

Attorneys for Defendant

COUNTRYWIDE HOME LOANS, INC.

9 **WILLIAM S. BONNHEIM, PLC**

10 William S. Bonnheim

11 **WEIXEL LAW OFFICE**

12 James V. Weixel, Jr.

13 James V. Weixel, Jr.
14 Attorney for Plaintiffs

15 **ORDER**

16
17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18
19 DATED: March 5, 2009

